



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 9667
Ingvar SELMER-OLSEN et al. : Docket No. 2001-0136A
Serial No. 09/762,821 : Group Art Unit 1761
Filed April 23, 2001 : Examiner Carolyn A. Paden

RECEIVED
JAN 27 2004
TC 1700

AQUEOUS PRESERVATIVE

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0575.

RESPONSE AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action of December 23, 2003, Applicants submit the following remarks in support of the patentability of the present invention. Further and favorable reconsideration is respectfully requested in view of these remarks.

Initially, Applicants note that claims 5-12 have been renumbered as claims 6-13 by the Examiner.

In response to the rejection of claims 6, 7 and 10-13 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of U.S. Patent No. 5,993,875 in view of Haram, Applicants submit herewith a Terminal Disclaimer. As noted by the Examiner, this will be effective to overcome the rejection.

In view of this, the objection to claims 8 and 9 should also be withdrawn.

Therefore, the application is now considered to be in condition for allowance, and such allowance is solicited.

Respectfully submitted,

Ingvar SELMER-OLSEN et al.

By:

Michael R. Davis

Michael R. Davis
Registration No. 25,134
Attorney for Applicants

MRD/pth
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
January 22, 2004